

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIADELPHINE ALLEN, et al.,
Plaintiffs,

v.

CITY OF OAKLAND, et al.,
Defendants.MASTER CASE FILE
NO. C00-4599 TEHORDER RE: DEFENDANTS'
ELECTRONIC MAIL SYSTEM

On October 13, 2012, the Monitor emailed Chief of Police Howard Jordan with an inquiry from the Court concerning issues relevant to disciplinary recommendations. The Monitor sent a follow-up email to the Chief on October 17, 2012. This afternoon, the Chief explained to the Monitor by telephone that he never received either email and subsequently stated that he searched his email account again and still could not locate the emails. The Chief explained that, to his knowledge, he received all other emails that were sent to him during this timeframe.

Given the importance of the issues in this case – especially at this critical juncture, when a motion is before the Court to appoint a receiver due to Defendants' dysfunction and inability to complete the reforms they agreed to implement nearly ten years ago – IT IS HEREBY ORDERED that Defendants shall investigate the integrity of their electronic mail system to confirm that there are no known current or anticipated issues with incoming or outgoing email traffic. Defendants shall file a response to this order on or before **October 26, 2012**. If Defendants are unable to verify the integrity of their electronic mail system, or if this situation arises again, then the Court will consider requiring Defendants to

1 develop a system by which receipt of the Monitor's communications is contemporaneously
2 acknowledged.

3
4 **IT IS SO ORDERED.**

5
6 Dated: 10/18/12



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT